

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BRAULIO THORNE, on behalf of himself and all other persons similarly situated,

Plaintiff,

-against-

FRED ALGER MANAGEMENT, LLC, and FRED ALGER & COMPANY, LLC

Defendants.

USDC SDNY
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DOC #: _____
DATE FILED: 7/1/2021

1:21-cv-3608-MKV

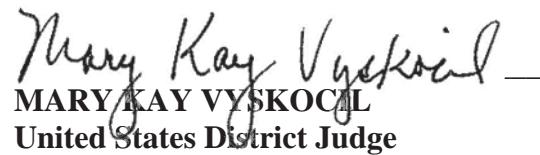
ORDER OF DISMISSAL

MARY KAY VYSKOCIL, United States District Judge:

The Court is in receipt of a letter from the parties informing the Court that the parties have reached a settlement in principle [ECF No. 13]. Accordingly, IT IS HEREBY ORDERED that the above-captioned action is discontinued without costs to any party and without prejudice to restoring the action to this Court's calendar if the application to restore the action is made by **July 31, 2021**. If no such application is made by that date, today's dismissal of the action is with prejudice. *See Muze, Inc. v. Digital On Demand, Inc.*, 356 F.3d 492, 494 n.1 (2d Cir. 2004).

SO ORDERED.

Date: **July 1, 2021**
New York, NY


MARY KAY VYSKOCIL
United States District Judge